

**STATE FIRE MARSHAL**  
**TITLE 19**  
**Chapter 5 Automatic Fire Extinguishing Systems**

**INITIAL STATEMENT OF REASONS**

Pursuant to Health and Safety Code §13195 the State Fire Marshal shall adopt and administer the regulations and building standards for the inspection, testing and maintenance of all automatic fire extinguishing systems. NFPA-25, 2002 Edition – *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems* is the nationally recognized standard for addressing this issue.

**SPECIFIC PURPOSE AND RATIONALE**

The proposed incorporation by reference and amendment of NFPA 25 will more closely align the State Fire Marshal's requirements with that of the nationally recognized standard and eliminate many of the requirements presently found in Chapter 5 Automatic Fire Extinguishing Systems, Title 19 California Code of Regulations.

**NECESSITY**

The State Fire Marshal adoption of the regulations for the Inspection, Testing and Maintenance of fire sprinkler systems and a wet and/or dry standpipe system has changed little since it was first adopted in 1983. The current proposal to adopt the nationally recognized Standard (NFPA-25, 2002 Edition – *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*) is intended to move the State of California forward twenty (20) years and to utilize a nationally recognized set of requirements.

**TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, OR REPORT**

The State Fire Marshal has analyzed the nationally recognized standard for the inspection, testing and maintenance of water-based fire protection systems "NFPA-25, 2002 Edition – *Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems*" and has concluded that it more thoroughly addresses the issue of inspection, testing and maintenance of fire sprinkler systems than the regulations presently contained in Title 19, CCR.

**REASONABLE ALTERNATIVES TO THE REGULATION AND THE STATE FIRE MARSHAL'S REASONS FOR REJECTING THOSE ALTERNATIVES**

The State fire Marshal staff has thoroughly reviewed this proposed regulatory action, including both the negative and positive impacts it will place upon industry. No alternatives considered by the State Fire Marshal would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective, or less burdensome to affected private persons than the proposed regulations.

## **ALTERNATIVES – SMALL BUSINESSES**

The proposed regulations have no substantial effect to small business and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small business.

## **EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS**

The State Fire Marshal can find no evidence that this action will have a significant adverse economic impact on any business.

## **COORDINATION WITH FEDERAL LAW**

The State Fire Marshal has determined that this proposed regulatory action neither conflicts with, nor duplicates any federal regulation contained in the Code of Federal Regulations.

### **Specific sections which have been modified:**

**Section 901** is being proposed to be amended to include the incorporation by reference of NFPA 25, 2002 edition and Annexes A, C, D, and E, with California amendments.

**Necessity:** NFPA 25 is a nationally recognized standard that incorporates more extensive and complete procedures to ensure proper operation of water-based fire protection systems. Title 19 is over twenty years old and has never been modified to keep current with modern technology affecting water-based fire protection systems.

**Sections 902** is being proposed to be amended to reflect the inclusion of systems defined as automatic fire extinguishing systems.

**Necessity:** This section was revised to change “Fire Sprinkler System” to “Fire Extinguishing System” which is a term incorporating all types of extinguishing systems and is consistent with H&S 13195.

**Section 902.4** is being proposed to be amended to include the tags and to add Clean Agent Systems to the examples given.

**Necessity:** The word “Tags” was added to distinguish between “Labels” which are used for water-based systems and “Tags” which are used for engineered and pre-engineered systems.

Clean agent systems was added to the list to reflect current fire protection technology that did not exist at the time Title 19 was first created.

**Section 902.9** is being proposed to be added to reflect the definition of inspection as it appears in NFPA 25

**Necessity:** This was added to be consistent with NFPA 25

**Section 902.11** is being proposed to be amended to clarify the definitions of license and licensee.

**Necessity:** The definition of “License” was revised to clarify the types of licenses required to conduct testing and maintenance.

**Section 902.12** is being proposed to be added to reflect the definition of maintenance as it appears in NFPA 25.

**Necessity:** The definition of “Maintenance” was revised to be consistent with NFPA 25.

**Section 902.15** is being proposed to be amended to add clean agent systems to the examples given.

**Necessity:** Clean agent systems was added to the list to reflect current fire protection technology that did not exist at the time Title 19 was first created.

**Section 902.18** is being proposed to be amended to reflect changes necessitated by the incorporation of NFPA 25.

**Necessity:** The term “Service” was revised to be consistent with NFPA 25 and to eliminate the discrepancy between NFPA 25 and Title 19.

The definition of “Standpipe System” was deleted as it exists in NFPA 25

**Section 902.19** is being proposed to be added to reflect changes necessitated by the incorporation of NFPA 25.

**Necessity:** The definition of “Testing” was added to be consistent with NFPA 25.

Throughout **Sections 904** and **905** references to “service” is being proposed to be changed to “testing and/or maintenance” and references to “maintenance” is being proposed to be changed to “inspection”.

**Necessity:** This revision was made to be consistent with terminology found in NFPA 25.

**Section 904** was amended to add a reference to NFPA 25, 2002 edition and to delete references to dates for which the requirements have passed.

**Necessity:** NFPA 25 is a nationally recognized standard that incorporates more extensive and complete procedures to ensure proper operation of water-based fire protection systems. Title 19 is over twenty years old and has never been modified to keep current with modern technology affecting water-based fire protection systems.

**Section 904.1(a)** is being proposed to be amended to add the phrase “who has developed competence through training and experience.”

**Necessity:** This is to be consistent with NFPA 25.

**Section 904.1(b)** is being proposed to be amended to add “after the next required inspection”.

**Necessity:** This phrase was added to clarify the requirement.

**Section 904.1(c)** is being proposed to be amended to add a requirement to cover the owner's responsibility for repairing and replacing parts.

**Necessity:** This is to be consistent with NFPA 25.

**Section 904.2** is being proposed to be amended to reflect changes necessitated by the incorporation of NFPA 25 and to require the contractor to notify both the building owner and the local fire authority of the completion of the testing and maintenance.

**Necessity:** 904.2(a) was revised to resolve a conflict between Title 19 and H&S 13196.5.

904.2(b)(2)(A) was revised to better define “specialty” system. The phrase “require that such systems be upgraded to current adopted standards” was added to be consistent with NFPA 25.

904.2(c) was revised to add “after the next required test or maintenance” in order to clarify the requirement.

Section 904.1(c) was revised to add a requirement to cover the owner's responsibility for repairing and replacing parts in order to be consistent with NFPA 25.

Section 904.2(i) was revised to reflect proper terminology to include both fire “departments” and fire “districts” by using the broad term “fire authority having jurisdiction”.

Section 904.2(j) was revised to require testing and maintenance reports to be submitted to the fire authority having jurisdiction to ensure the local fire authority is aware of deficiencies.

**Sections 904.3, 904.4, 904.5 and 904.6** are being proposed to be repealed.

**Necessity:** The requirements in these sections are either included in NFPA 25 or if not so included, they are currently required by Title 19 and are added to NFPA 25.

**Section 904.7** is being proposed to be amended by adding “Inspection, testing” and “and the applicable standards adopted in Title 24, Part 9, CCR (California Fire Code)”.

**Necessity:** The first change is to reflect the revised terminology regarding “inspection, testing, and maintenance” versus the existing terminology “service and maintenance”.

The second change is to provide the requirement to use the applicable standard for inspection, testing, and maintenance procedures as adopted by Title 24, Part 9 (California Fire Code).

**Section 904.7** is being proposed to be amended to add “Office of the” before State Fire Marshal.

**Necessity:** This is necessary to provide the proper name for the Office of the State Fire Marshal

**Section 905** is being proposed to be amended to add “A” before “license” and to add “Office of the” before “State Fire Marshal”, and to reference a C-16 license.

**Necessity:** This is necessary properly identify the license issued by the Office of the State Fire Marshal, and to provide the proper name for the Office of the State Fire Marshal, and to be consistent with CSLB regulations regarding a C-16 license.

**Section 905.2** is being proposed to be amended to reformat the fee information into a table format.

**Necessity:** This revision is editorial and for document consistency.

The title of **Article 6** is being proposed to be amended to include forms and tags.

**Necessity:** The revised Title 19 requirements are intended to distinguish between “labels” which are used for water-based fire protection systems (see Section 906.1) and “tags” which are used for engineered and pre-engineered extinguishing systems (see Section 906.2). The term “forms” is added to address the new requirements mandating the use of standardized forms (see Section 906.3).

**Section 906** is being proposed to be amended to clarify the general label and tag requirements.

**Necessity:** Section 906.1 is provided to address requirements for labels for water-based fire protection systems. Section 906.2 is provided to address requirements for tags for engineered and pre-engineered fixed extinguishing systems.

**Section 906(a)** is being proposed to be amended to delete the existing text and replaced it with “Labels shall be used on water-based fire protection systems.”

**Necessity:** The existing text has been moved to Section 906.1. The change to replace this section with “Labels shall be used on water-based fire protection systems” reflects the need to distinguish between “Labels” for water-based fire protection systems (see Section 906.1) and “Tags” for engineered and pre-engineered fixed extinguishing systems (see Section 906.2) because the information required for each type of system is different.

**Section 906(b)** is being proposed to delete the existing text and to replace it with “Tags shall be used on engineered and pre-engineered fixed extinguishing systems”.

**Necessity:** The existing text has been moved to Section 906(c). The change to replace this section with “Tags shall be used on engineered and pre-engineered fixed extinguishing systems” reflects the need to distinguish between “Labels” for water-based fire protection systems and “Tags” for engineered and pre-engineered fixed extinguishing systems because the information required for each type of system is different.

**Section 906(c)** is being proposed to be amended to delete the first sentence.

**Necessity:** This sentence has been moved to 906(j).

**Section 906(d)** is proposed to delete the existing format for the service labels.

**Necessity:** The format for the label has been revised to reflect current requirements and the new formats for labels are provided in Section 906.1(b) and for tags in Section 906.2(b).

**Sections 906(d)(1) through (7)** are being proposed to be added.

**Necessity:** These paragraphs have been moved from 906(e) and revised to reflect requirements in Title 19 regarding CSLB.

**Sections 906(e)(1) through (7)** are being proposed to be repealed.

**Necessity:** These paragraphs have been moved to 906(d).

**Section 906(e)** is being proposed to be added.

**Necessity:** This section is added to clarify the requirements of 906(d) (1) through (7) and to clarify how the labels and tags are to be used. The requirement for providing the printed name in addition to the signature is for clarity as not all signatures are legible.

The requirement for providing the “initial” date on the label or tag is to identify the official date of testing and maintenance. This avoids confusion currently experienced in the industry.

The requirement for providing a hole “clearly” punched in the appropriate boxes is intended to avoid labels and tags containing conflicting dates.

**Section 906(f)** is being proposed to be amended.

**Necessity:** Section 906(f) is amended by deleting the existing text because it is covered in 906(d) and 906(e). The new text has been moved from 906(g).

**Section 906(g)** is being proposed to be amended.

**Necessity:** Section 906(g) is amended by deleting the existing text because it is covered in 906(f). The new text has been moved from 906(h).

**Section 906(h)** is being proposed to be amended.

**Necessity:** Section 906(h) is amended by deleting the existing text because it is covered in 906(g). The new text has been moved from 906(a).

**Section 906(i)** is being proposed to be added.

**Necessity:** Section 906(i) is added to clarify the intent of the existing Title 19 requirements although not explicitly addressed.

**Section 906(j)** is being proposed to be added.

**Necessity:** Section 906(j) has been moved from 906(c).

**Section 906.1** is being proposed to be added to address labeling requirements of water-based fire protection systems.

**Necessity:** Section 906.1 contains requirements that have been moved from 906(a)(1) and 906(a)(2). The new format for the label has been moved from 906(d).

**Section 906.2** is being proposed to be added to address the tagging requirements of engineered and pre-engineered fixed systems.

**Necessity:** Section 906.2 contains requirements that have been moved from 906(a) and 906(a)(3). The new format for the label has been moved from 906(d).

**Section 906.3** is being proposed to be added to include the reporting forms required for sprinkler systems, standpipe and hose systems, private fire service mains, fire pumps, water storage tanks, water spray fixed systems and foam-water sprinkler systems.

**Necessity:** Section 906.3 is added to provide forms for standardization statewide. This will avoid confusion and be more user-friendly for the owner, contractors, licensed concerns, and the fire authorities having jurisdiction.

## **Proposed NFPA Modified Sections**

The following Sections of NFPA 25, 2002 edition are being proposed to be amended:

Notice Section is being proposed to be amended to reflect an error in the referenced annex.

Section 2.2 is being proposed to be amended to reflect current Part 2, Title 24 requirements.

Section 3.3.19 is being proposed to be deleted in order to correlate to the definition of inspection being added to Title 19.

Section 3.3.22 is being proposed to be deleted in order to correlate to the definition of maintenance being added to Title 19.

Section 3.3.36 is being proposed to be deleted in order to correlate to the definition of testing being added to Title 19.

Sections 3.3.20, 4.1.4.1, 4.1.6, 4.2, 5.2.1.1, 5.2.1.1.4, 5.2.1.3, 5.2.2, 5.2.2.3, 5.2.3, 5.2.3.3, 5.2.4.1, 5.2.4.2, 5.2.4.3, 5.3.3.1, 5.3.3.2, 6.1.2, 6.2.1, 6.3.1.3, 8.3.4.3, 12.2.6.1, 12.2.7, 12.3.2.1, 12.3.2.1.1, 12.3.3.5.1, 12.4.1.1, 12.4.3.1.3, 12.4.3.1.4, 12.4.3.1.5, 12.4.3.1.6, 12.4.3.2.1, 12.4.3.2.10, 12.4.4.1.4, 12.4.4.2.1, 12.4.4.2.4, 12.4.4.2.6, 12.6.1.1, 12.6.1.1.1, 12.6.1.2, 12.6.1.2.1, A.5.2.1.1.4, A5.2.2.3, and A.5.2.3.3 are being proposed to be amended and replace the existing corresponding section to reflect current Title 19 requirements.

Sections 4.1.4, 4.3.5 and A.4.1.4 are being proposed to be deleted because these requirements are addressed in Title 19.

Tables 5.1, 6.1, 9.1, 10.1, 11.1, and 12.1 are being proposed to be amended and replace the existing corresponding table to reflect current Title 19 requirements.

Sections 3.6.7, 5.3.3.6, 6.3.1.3.1.1, 6.3.1.3.1.2, 6.3.1.6, 6.3.1.7, 6.3.1.7.1, 9.3.7, 12.7.4, and A.12.7.4 are being proposed to be added to reflect current Title 19 requirements.

Tables 6.3.1.6 and 6.3.1.7 are being proposed to be added to reflect current Title 19 requirements.

**Necessity:** Amendments, additions or deletions being proposed to NFPA 25 are hereby made to either reflect more restrictive requirement currently in Title 19, address items which are not specifically addressed in either NFPA 25 or Title 19, or specifically addressed in NFPA 25 but for which no substantiating data could be found.